

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
and
ORDER NO. 959-A
Z.C. CASE NO. 00-04TA
(Text Amendment – 11 DCMR)
(Miscellaneous Technical Corrections)

The Zoning Commission for the District of Columbia (the “Commission”), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2001 Ed.)), and 11 DCMR § 3030 (Consent Calendar), hereby gives notice of the adoption of a rulemaking generating several minor, technical modifications to the Zoning Regulations, Title 11, DCMR. The amendments were to Chapter 4 and §§ 1799, 2100, and 3041.

The Commission took proposed action pursuant to 11 DCMR § 3027.2 at its regularly scheduled monthly meeting on February 24, 2003, to approve the proposed amendments. Because this rulemaking was undertaken pursuant to the Commission’s Consent Calendar procedures in 11 DCMR § 3030, no hearing was held.

No comments were received and no changes have been made to the text of the proposed rules, as published with the notice of proposed rulemaking in the *D.C. Register* on February 28, 2003, at 50 DCR 1918. These final rules will be effective upon publication of this notice in the *D.C. Register*.

The Commission initiated this case to make additional minor editorial amendments to the Zoning Regulations to correct errors and to improve the readability of the regulations. The amendments (1) include a reference to R-4 in the Table of Contents and the heading for § 410; (2) correct an incomplete reference to the Housing Production Trust Fund in the definitions section; (3) change the phrase “parking facilities” to “parking spaces” in § 2100 to provide further clarity; and (4) correct a typographical error in § 3041.1(b) which stated a dollar amount that was inconsistent with a prior rulemaking.

A comment period of ten (10) days was provided for this rulemaking. A shortened notice period is permitted under § 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2001 Ed.)), upon good cause shown.

Based on the above, the Commission finds that the proposed amendments are minor modifications to previously approved rulemakings, in the best interests of the District of Columbia, consistent with the purpose and intent of the Zoning Regulations and Zoning Act, and not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth herein, the Zoning Commission hereby orders **APPROVAL** of the following amendments to the Zoning Regulations, Title 11 DCMR:

- A. Amend Chapter 4, RESIDENCE DISTRICTS: HEIGHT, AREA, AND DENSITY REGULATIONS, as follows:
 - 1. Amend the Table of Contents by inserting the phrase “and R-4” between “R-5” and the word “Districts”.
 - 2. Amend the heading for § 410 by inserting the phrase “**AND R-4**” between “**R-5**” and the word “**DISTRICTS**”.
- B. Amend § 1799.1, definition of **Housing Trust Fund**, by inserting the word “**Production**” between the words “**Housing**” and “**Trust**”.
- C. Amend Chapter 21, OFF-STREET PARKING REQUIREMENTS, § 2100 as follows:
 - 1. Amend the Table of Contents, by striking the word “**Facilities**” and inserting the word “**Spaces**” in its place.
 - 2. Amend the heading for § 2100 by striking the word “**FACILITIES**” and inserting word “**SPACES**” in its place.
- D. Amend § 3041.1(b) by striking the phrase “two hundred dollars (\$200)” and inserting the phrase “one thousand two hundred and fifty dollars (\$1,250)” in its place.


Vote of the Zoning Commission taken at its public meeting on February 24, 2003, to adopt the proposed rulemaking: 5-0-0 (Carol J. Mitten, Peter G. May, Anthony J. Hood, John G. Parsons, and James H. Hannaham to **APPROVE**).

This order was adopted by the Zoning Commission at its public meeting on April 14, 2003, by a vote of 5-0-0 (Anthony J. Hood, Carol J. Mitten, John G. Parsons, James H. Hannaham, and Peter G. May (by absentee ballot) to **ADOPT** Z.C. Order No. 931-A).

In accordance with 11 DCMR § 3028.9, this order shall become effective upon publication in the *D.C. Register*, that is, ~~OCT 17 2003~~.



CAROL J. MITTEN
Chairman
Zoning Commission



JERRILY R. KRESS, FAIA
Director
Office of Zoning

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The full text of this Zoning Commission order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.